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## **Court deals with warrants, leaves the rest to homeless**

By JIM HINCH

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SANTA ANA – Every week, about 10 arrest warrants land in the mailbox of the large beige house on Cypress Street with the Virgin Mary statue in the front yard. In the afternoon, when the 150 homeless people who live in the house arrive for dinner, the warrants get handed out. They inspire fear and desperation.

For residents of the Catholic Worker shelter and the rest of Orange County's 28,000 homeless, arrest warrants for infractions such as sleeping in the park or urinating in public mean the difference between putting a life back together and landing in jail over small fines the indigent could never hope to pay.

Now, for the first time in Orange County, a coalition of social workers and criminal justice officials is creating a special Homeless Court that sends a judge and bailiff to homeless shelters to cancel warrants for defendants who enroll in social service programs.

The court, modeled on similar programs in San Diego and Los Angeles, is expected to begin operating in October in Santa Ana shelters such as the Catholic Worker home, Mercy House and the Orange County Rescue Mission.

Orange County Superior Court Judge Wendy Lindley, who already presides over the county's specialized drug courts and mental-illness courts, will allow indigent defendants to work off fines they can't afford to pay by attending drug rehabilitation, parenting classes and other programs to overcome poverty.



Orange County Superior Court Judge Wendy Lindley who presides over the county's specialized drug courts and mental-illness courts.



HOME COURT: Dwight Smith, co-director of Catholic Workers, right, greets a friend at Smith's home. Smith runs the Catholic Worker shelter, which houses 150 homeless, and helped an O.C. Superior Court judge start Orange County's first homeless court.

Lindley said the court, crafted with the help of shelter operators, police, public defenders and district attorney lawyers, could save Orange County's criminal justice system hundreds of dollars for each defendant diverted away from jail time and lengthy court procedures.

"This isn't a get-off-free situation. This is just a different response to try to correct the problem. If we put them in jail, as soon as they get out, they'll have the same problem again - homelessness," Lindley said. "Eventually, these people would come into the court system anyway, and it would cost a great deal."

Karen Roper, who coordinates homeless services for Orange County, said homelessness is on the rise in Southern California, as workers are laid off and housing costs rise.

Many O.C. homeless, especially the 5,700 whose drug addiction or mental illness render them chronically indigent, are routinely cited for sleeping outside when they can't find a bed or urinating when they can't find an open bathroom at night, Roper said.

If unpaid, the fines become arrest warrants that prevent offenders from getting jobs or a driver's licenses, key steps on the road to self-sufficiency, Roper said. Those arrested on such warrants can spend several days in jail and generate paperwork in the courthouse, costing taxpayers money, Roper said.

In San Diego, which pioneered the homeless court idea in 1989, a judge visits a homeless shelter once a month and resolves cases for about 50 defendants, dismissing charges in exchange for community service or demonstrated progress in substance-abuse programs or treatment for mental illness.

Los Angeles County began a similar court in 2000. Ventura, Fresno and San Francisco counties either have courts or are considering them, said Ken Babcock, director of Santa Ana's Public Law Center, which dispenses free legal aid to the poor.

Lindley said officials are determining how many homeless residents have warrants and where they can be found so they can be told about the court. Only warrants for nonviolent, victimless infractions and misdemeanors qualify for the court, she said.

Dwight Smith, who runs the Catholic Worker home and helped design the Homeless Court, said he knows how to ensure court attendance. When the court is held at his house, he plans to barbecue steaks and offer one to each homeless person who shows up with a warrant.



FAMILY TIES: Meygan Wallace, 6, and her mom Tracey share a laugh after dinner. They are temporarily homeless and stay at the Catholic Worker shelter in Santa Ana.

"Homeless people can't help" getting warrants because their basic life needs often break the law, Smith said. "It's illegal to sleep under a blanket (outdoors in the city of Santa Ana). There's a guy named Five Coat Dave who sleeps under five coats to avoid a ticket."

As the Catholic Worker house back yard filled up for dinner one afternoon this week, residents nodded eagerly when asked if warrants keep them from putting their lives back together.

Cecil Wyatt, a tan, rangy 55-year-old with callused hands and a goatee, said warrants for two unpaid traffic tickets keep him from getting a job or a driver's license.

Wyatt, who lost his kids in a custody dispute 15 years ago, admits he spent a good portion of his life drunk. He hit bottom in 2000, when vandals set fire to the Volkswagen bus he was living in while working at a Shell gas station.

He roamed the streets for awhile, sleeping in alleys and eating at soup kitchens. Now sober, he cleans the Catholic Worker house, attends Alcoholics Anonymous meetings and has graduated to sleeping in the house's delivery van, where he lies back each evening and listens to the blues or watches Star Trek on a small portable TV he stashes under the seat.

"I'd like to work legally so I can still survive," Wyatt said. "The warrants mean I can't apply for work. It keeps me stuck. ... There are a lot of (homeless people) out there with camping tickets. They're homeless. What can they do?"